



NEW YORK STATE SENATOR

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## Governor Hochul Signs Legislative Package to Strengthen Democracy and Protect Voting Rights

BRIAN KAVANAGH September 21, 2023

| ISSUE: **ELECTION REFORM**



Governor Hochul Signs Election Package

Governor Kathy Hochul today signed a legislative package to strengthen democracy and protect voting rights in New York State. This legislative package builds upon New York State's ongoing efforts to improve and protect access to the ballot box for all New Yorkers, including last year's enactment of the John R. Lewis Voting Rights Act of New York, the most expansive state level voting rights act in the country.

“By safeguarding the integrity of our electoral process and ensuring equal access to the ballot box, we empower every New Yorker to have their voice heard,” **Governor Hochul said.** “New York State remains committed to strengthening our democratic process, championing the right to vote for every citizen and cementing our place as a national leader on voting rights.”

“The right to vote is foundational to our democracy and any effort to limit this right is an attack on our freedoms,” **said Lieutenant Governor Delgado.** “New York is proud to be a leader in protecting the right to vote, ensuring that New Yorkers have the chance to make their voices heard and make their opinions known.”

“New York is a better place when more people vote, and the legislation signed into law today will help get votes counted and increase turnout and participation in elections, **Assembly Speaker Carl Heastie said.** “The Assembly Majority will continue to work with our partners in government to safeguard our democracy and to ensure every eligible voter has the opportunity to cast their ballot and have their vote counted.”

### **Strengthening Early Voting Practices**

Legislation (S. 6195/A.1177) allows absentee ballots to be counted if they have been taped and show no signs of tampering.

**State Senator Zellnor Myrie said,** “While other states are working to restrict voting rights, I’m proud that here in New York we’re continuing to expand access to the ballot box. Our democracy is strongest when more voters can be heard. I’m grateful to Governor Hochul for signing these important bills and to my co-sponsor Assemblymember Paulin for her work making this legislation possible.”

**Assemblymember Amy Paulin said,** “If a voter seals the affirmation envelope of an absentee ballot with tape, glue or any other binding agent, and the ballot is otherwise valid, that ballot

should absolutely be counted. Absentee ballots provide the ability to participate in the electoral process for many voters. In recent years, and in particular since Covid, the use of absentee ballots has greatly increased in New York. We need to safeguard the use of absentee ballots and protect New Yorkers' votes by ensuring that ballots are not voided due to an issue like a piece of tape on an envelope. I thank Governor Hochul for signing this legislation today and taking this step to ensure that all New Yorkers' votes are counted."

Legislation (S. 5984-A/A. 6132-A) creates a "Golden Day" on the first day of the early voting period when New Yorkers can register to vote and cast their ballots at their polling place all on the same day.

**State Senator Brian Kavanaugh said,** "The reforms in this package—including my bills to make it easier to register and participate in early voting—build upon our success in recent years in greatly increasing New Yorkers' access to voting and dramatically improving virtually every aspect of the way we administer elections. I am proud to support this package and I commend and thank Majority Leader Andrea Stewart-Cousins, Deputy Leader Michael Gianaris, Elections Chairs Zellnor Myrie and Latrice Walker, Assembly sponsors JoAnne Simon and Robert Carroll, and all of our fellow democracy advocates and colleagues in government, and of course Governor Kathy Hochul for her steadfast leadership on this and so many other issues."

**Assemblymember Robert Carroll said,** "One of my legislative priorities as a State Assemblymember has always been to ensure that New York follows established best practices to allow every voter in the state the appropriate mechanisms to exercise their right to vote. This bill builds upon my previous legislation to reform New York's antiquated voting laws and provides a blueprint for further improvement in the future. I am glad to see Governor Hochul is signing this bill into law."

Legislation (S. 6519-A/A. 1565-A) establishes a deadline for changing location of a polling place for an early voting period.

**Assemblymember Jo Anne Simon said,** “Access to the ballot box is one of the most fundamental rights we have as citizens, which is why New York is leading the way in making it easier for people to register, to vote, and for that vote to be counted. I’m thrilled that Governor Hochul signed my bill into law to ensure that voters are informed of changes to early polling sites in a timely manner. My constituents have been frustrated about not being informed in advance of polling site changes, so this new law is overdue. Individuals with disabilities in particular continue to face challenges as the vast majority of polling sites are not fully accessible and they need timely information to accommodate their unique traveling and accessibility needs.”

Legislation (S. 7394-A/A. 7632-A) establishes a system for early voting by mail. This legislation will create a process allowing all eligible, registered New York State voters the opportunity to vote early by mail in advance of an election. A new application process will be developed to facilitate voter requests for early mail ballots pursuant to this legislation. Voters will be able to request mail ballots up to ten days prior to the election in which they would like to vote early by mail; boards of election will then provide mail ballots with postage paid return envelopes to all eligible and registered voters. Early mail ballots must then be mailed back to the appropriate board of elections no later than election day and must be received by the board no later than seven days after election day. This legislation represents a significant expansion of ballot access in New York State, and will provide millions of New York voters with an easy, safe, and secure means of voting early by mail ballot.

**State Senate Deputy Majority Leader Michael Gianaris said,** “Voting is a fundamental right and the easier we make it to vote, the healthier our democracy will be. I am proud the Governor signed these bills as we continue to build on our important work expanding access to the

ballot box for all New Yorkers.”

**Assemblymember Karines Reyes said,** “I applaud Governor Hochul for taking this bold and monumental step in expanding access to the ballot box. Our democracy is nourished and strengthened when citizens have easy access to the vote. By allowing voters to cast their ballots by mail, we remove a critical barrier that voters face in having their voices heard: making time to physically go to their specific polling place and cast a ballot. New York will also join the chorus of 35 other states that have given voters this critical option to register their voice in our state and its affairs. I want to extend thanks to Senator Gianaris, my colleagues in the Legislature and the voting rights advocates that helped make this great day possible.”

### **Enhancing Electoral Education**

Legislation (S. 5965-A/A. 4009-A) requires local jails to provide voter registration information to individuals of voting age being released from a local correctional facility.

**State Senator Jamaal T. Bailey said,** “The right to vote has been at the heart of all progress in the fight for freedom and justice throughout our nation's history. Our vote is our power, and I am proud to sponsor this legislation alongside Assemblymember Eddie Gibbs to ensure that every New Yorker, regardless of their past, is empowered to exercise this fundamental right. While our state has made tremendous progress to improve ballot access, we must still confront the existing barriers that prevent individuals from fully participating in the democratic process and using the power of their vote. By ensuring that justice-involved New Yorkers are informed about their voting rights, this legislation is a critical step towards ending the disenfranchisement of formerly incarcerated individuals and rectifying systemic injustices that have disproportionately marginalized Black and Brown communities. I want to thank Assemblymember Eddie Gibbs, whose personal journey and leadership have been instrumental in championing this legislation in the Assembly. I also want to thank Governor

Kathy Hochul for signing this legislation into law and Majority Leader Andrea Stewart-Cousins, Speaker Carl Heastie, and my colleagues in both houses for their commitment to a more equitable and inclusive democracy.”

**Assemblymember Eddie Gibbs said,** “As the first formerly incarcerated male to serve in public office in New York State, and any state government in the United States, this law is near and dear to my heart. Recently, I lost two of the most influential guiding lights in my life – my beautiful mother Valerie Gibbs, and my precious daughter Ariel Gibbs. The love and strength of both my mom and my daughter have kept me sane and focused since I’ve been home, and every day, I strive to live righteously and honor their memories through my public service. This new law is a labor of love to every person who came home with a changed heart, but only needed an opportunity and access to resources to change their lives. Civic engagement and voting rights restoration is a key step in that change. I thank Governor Hochul, Speaker Heastie, Majority Leader Stewart-Cousins, my brother in government and in life, Senator Bailey, my colleagues, friends, allies, and my entire team for being here today.”

Legislation (S. 587/A.268) requires the New York State Board of Elections to develop and provide a training program for poll workers.

**State Senator Leroy Comrie said,** “Our elections are vital to the continued participation in and success of our democracy. By adequately preparing poll workers statewide on how to best serve our vast and diverse population, we can reduce many of the common barriers faced on election day that might discourage New Yorkers from exercising their right to vote. I am confident the addition of a statewide standard on training our nonpartisan poll workers through legislation passed by myself and Assemblymember Latrice Walker will achieve this, and I’m honored Governor Kathy Hochul shares that vision today as she signs our bill.”

**Assemblymember Latrice Walker said,** “With this package of bills, New York State has expanded voting rights, while other states are actively restricting them. We have again expanded voting rights in the Empire State, while some in Washington still refuse to act. We have said here today – with one voice -- that every vote in New York State counts. That is something to celebrate. New York State has again honored the legacy of the late Rep. John R. Lewis, who once said, ‘The vote is precious. It is almost sacred. It is the most powerful nonviolent tool we have in a democracy.’ Thank you to my fellow lawmakers for their commitment to increasing access to the ballot. And, of course, thank you to Gov. Kathy Hochul for her leadership.”

Legislation (S. 1733-A/A.5180-A) requires local boards of education, BOCES, charter schools and non-public schools to adopt policies to promote student voter registration and pre-registration.

**State Senator Shelley B. Mayer said,** “I applaud Governor Kathy Hochul for her commitment to strengthening the future of our democracy in New York State by signing this legislative package, including my bill to establish a school voter registration and pre-registration programs. It is critical to the future of our democracy that children and young adults learn the habits and importance of civic engagement and are encouraged to participate fully in our democracy. I thank Assemblymember Monica Wallace for her partnership on this important legislation, my colleagues for their shared commitment to improving the electoral system, and Governor Kathy Hochul for signing each piece of legislation into law.”

**Assemblymember Monica Wallace said,** “A strong democracy requires robust participation by everyone. This bill will help ensure young people are ready to vote as soon as they are eligible. I thank my colleague Senator Shelley Mayer for carrying this bill in the Senate and thank Governor Hochul for signing this important legislation.

Legislation (S. 7550/A. 7690) schedules the Presidential Primary Election for April 2, 2024.

### **Protecting New Yorkers' Vote**

Legislation (S. 350/A. 5874) prohibits “forum shopping” in constitutional challenges for election cases.

**State Senator Robert Jackson said,** “Preserving the heart of our democracy is our duty, and with my bill S350, we're putting an end to election law gamesmanship and ensuring that every voice is heard. Thank you, Governor Hochul, for signing this crucial bill. We're not just passing laws - we're fortifying the walls of integrity, ensuring elections are decided by the people, not partisan games.”

Legislation (S. 438/A. 928) prohibits “faithless electors” from impacting the outcome of a presidential election. New York has 29 electoral votes that go to the presidential candidate who receives the highest number of votes within the state. However, individuals chosen as members of the Electoral College can – and do – subvert democracy by people by casting their electoral votes for a candidate who did not win the highest number of votes. Under this new law, rogue electors who try to disregard the will of the people will be forced to resign.

**State Senator James Skoufis said,** “When so-called ‘faithless electors’ put their weight behind a different candidate than the one voters have chosen, it undermines our most essential democratic process. I applaud the Governor for signing this and numerous other important measures today, protecting the free and fair elections New Yorkers deserve.”

**Assemblymember Jonathan Jacobson said,** “Our democracy is under attack. It is up to us to preserve it by ensuring that each and every person's vote is counted the way it was intended. When it comes to presidential elections in New York State, this means that the candidate who gets the most votes for president actually receives all of New York's electoral college

votes. This new law will outlaw fake electors so that New York does its part to protect America's increasingly fragile democracy."

**Common Cause New York Executive Director Susan Lerner said,** "Today, New York takes a major step forward in enfranchising the right to vote for more New Yorkers thanks to bold leadership from Governor Kathy Hochul and the state Legislature. This package of pro-voter bills will help train poll workers, ease voter registration for students and detained New Yorkers, guarantee more votes count, and allow New Yorkers to vote by mail. We know vote by mail works: New York used it successfully in 2020 when faced with the COVID-19 pandemic. As a non-partisan, voting rights organization with decades of experience, Common Cause/NY knows that not only is this absolutely legal under our constitution, but the right reform for New York to adopt."

**Brennan Center for Justice, Elections and Government Program Senior Counsel**

**Joanna Zdanys said,** "The Brennan Center for Justice applauds our state's leaders for their continued commitment to modernizing voting and election administration in New York State. The common-sense legislation Governor Hochul enacted today will strengthen our state's democracy by improving poll worker training and facilitating voter registration. We commend Governor Hochul for signing these important reforms into law. New York continues to make significant progress on behalf of its voters, and we urge our leaders in Albany to keep fighting for our democracy."

**League of Women Voters of New York State Executive Director Laura Ladd Bierman said,** "The League is pleased that the Governor is signing this package of election-related bills that will facilitate easier access to voting for all New Yorkers. Allowing all voters to have their votes count is critical to strengthening our democracy. We applaud the Legislature in passing these bills and now the Governor in signing these into law."

**New York Public Interest Research Group Executive Director Blair Horner said,**

"NYPIRG applauds Gov. Hochul's approval of important legislation to strengthen New York's voter laws. Just recently, New York was considered a national laggard when it came to registering and educating voters. With approval of these important bills, New York continues its march toward matching the nation's best elections practices."